

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

DAVID PESHAKAI, DARLENE THOMAS,
CHARLES REYNOLDS AS THE PERSONAL
REPRESENTATIVE OF THE WRONGFUL
DEATH ESTATES OF DEL LYNN PESHAKAI
(DECEASED) AND DESHAUNNA PESHAKAI
(DECEASED), DANELL PESHAKAI, DARNELL
PESHAKAI, SHAWN BEGAY, DELACEY
PESHAKAI, and DAVID PESHAKAI, JR.,

Plaintiffs,

vs.

No. CIV 13-0752 JB/ACT

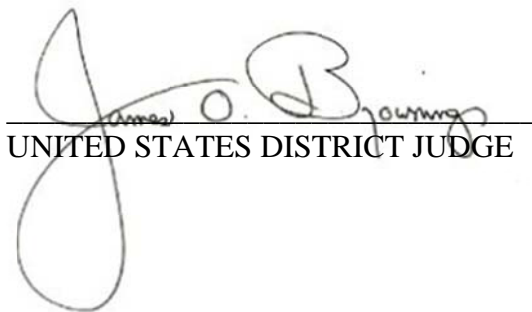
JAMES RUIZ, GILBERT MENDOZA, AMREST, LLC
d/b/a APPLEBEE'S NEIGHBORHOOD GRILL AND BAR,
and APPLEBEE'S INTERNATIONAL, INC.,

Defendants.

ORDER

THIS MATTER comes before the Court on the Plaintiffs' Motion to Modify Scheduling Order, filed in state court on August 5, 2013, filed in federal court on September 12, 2013 (Doc. 47-1). The Court held a hearing on November 6, 2013. The Court will grant the motion.

IT IS ORDERED that the Plaintiffs' Motion to Modify Scheduling Order, filed in state court on August 5, 2013, filed in federal court on September 12, 2013 (Doc. 47-1), is granted.¹


UNITED STATES DISTRICT JUDGE

¹ This Order disposes of the motion. The Court will, however, at a later date enter a memorandum opinion more fully detailing its rationale for this decision.

Counsel:

Zackeree S. Kelin
Philomena M. Hausler
Kelin Law Firm
Albuquerque, New Mexico

--and--

Scott M. Hendler
Sean M. Lyons
Hendler Law, P.C.
Austin, Texas

Attorneys for the Plaintiffs

Jeff Ray
Ray McChristian & Jeans, P.C.
El Paso, Texas

--and--

W. Mark Mowery
Jose R. Blanton
Glenn A. Beard
Rodey, Dickason, Sloan, Akin & Robb, P.A.
Albuquerque, New Mexico

Attorneys for Defendant AmRest, LLC

Edward Shepherd
Allen, Shepherd, Lewis & Syra, P.A.
Albuquerque, New Mexico

--and--

Shannon A. Parden
Deena Buchanan Williams
Olsen Parden Williams, P.C.
Albuquerque, New Mexico

Attorneys for Defendant Applebee's International, Inc.